



PATENT ~~AF~~
454313-2335.1 ~~1632~~

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s) : Jean-Christophe AUDONNET et al.
Filed : May 31, 2000
Serial No. : 09/586,535
For : **DNA VACCINE – PCV**
Group Art Unit : 1632
Examiner : Q. J. Li

RECEIVED

MAR 03 2004

745 Fifth Avenue, New York, NY 10151

EXPEDITED PROCEDURE
RESPONSE AFTER FINAL ACTION
UNDER 37 C.F.R. 1.116

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Mail Stop AF, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on February 23, 2004.

Anne-Marie C. Yvon, Reg. No. 52,390

(Name of Applicant, Assignee or Registered Representative)

Anne-Marie C. Yvon
Signature

February 23, 2004

Date of Signature

NOTICE OF APPEAL

Mail Stop AF
Commissioner for Patents
P.O. Box 1450
Arlington, VA 22313-1450

Dear Sir:

Applicants hereby appeal to the Board of Patent Appeals and Interferences from the decision of the final Office Action, dated August 27, 2003, rejecting claims 12, 13, 15-24, 28-35, 37, 39-51, and 54-66. A check in the amount of \$330.00 is enclosed to cover the appeal fee required by 35 U.S.C. §41(a)(6) and 37 C.F.R. §1.17(e).

As a request for a three month extension of time was filed with the February 19, 2004 Response to Final Office Action, it is believed that no additional extension fees are required. However, the Commissioner is authorized to charge any additionally required fees for an extension, or any other fee occasioned by this paper, or credit any overpayment in such fees, to Deposit Account No. 50-0320.

This Notice is being filed in triplicate.

Respectfully submitted,
FROMMER LAWRENCE & HAUG LLP

By: Anne-Marie C. Yvon
Thomas J. Kowalski,
Reg. No. 32,147

Anne-Marie C. Yvon, Ph.D.
Reg. No. 52,390

Tel (212) 588-0800
Fax (212) 588-0500